

107 REC'D PTO 01 MAR 2006

FORM PTO-1390 (Modified) U.S. PATENT AND TRADE OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 7-2005)

ATTORNEY'S DOCKET NUMBER

RLL-274US

10/521402

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/521402

INTERNATIONAL APPLICATION NO.
PCT/IB2003/002838

INTERNATIONAL FILING DATE
17 July 2003

PRIORITY DATE CLAIMED
19 July 2002

TITLE OF INVENTION

TASTE MASKED SUMATRIPTAN TABLETS AND PROCESSES FOR THEIR PREPARATION

APPLICANT(S) FOR DO/EO/US

MATHUR et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 483376186 US**

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/521,402	INTERNATIONAL APPLICATION NO. PCT/IB2003/002838	ATTORNEY'S DOCKET NUMBER RLL-274US												
23. Other items or information: Copy of Notification of Missing Requirements Certificate of Express Mailing Petition for Extension of Time under 37 CFR 1.136(a) Return Postcard														
The following fees have been submitted: 24. <input type="checkbox"/> Basic national fee \$300		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">CALCULATIONS</th> <th style="width:50%;">PTO USE</th> </tr> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	CALCULATIONS	PTO USE	\$ \$0.00									
CALCULATIONS	PTO USE													
\$ \$0.00														
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00											
\$ \$0.00														
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority: \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00											
\$ \$0.00														
TOTAL OF 24, 25 and 26 =		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00											
\$ \$0.00														
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.														
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Total Sheets</th> <th style="width:20%;">Extra Sheets</th> <th style="width:40%;">Number of each additional 50 or fraction thereof (round up to a whole)</th> <th style="width:20%;">RATE</th> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">/50 =</td> <td style="text-align: center;">0</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	- 100 =	0	/50 =	0	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">x</td> <td style="text-align: right;">\$250.00</td> </tr> </table>	x	\$250.00	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE											
- 100 =	0	/50 =	0											
x	\$250.00													
\$ \$0.00														
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$130.00</td> <td></td> </tr> </table>	\$ \$130.00											
\$ \$130.00														
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:40%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> </tr> <tr> <td style="text-align: center;">Total claims</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$50.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =	0	x \$50.00	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">x</td> <td style="text-align: right;">\$200.00</td> </tr> </table>	x	\$200.00	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE											
Total claims	- 20 =	0	x \$50.00											
x	\$200.00													
\$ \$0.00														
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Independent claims</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$200.00</td> </tr> </table>	Independent claims	- 3 =	0	x \$200.00	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">x</td> <td style="text-align: right;">\$200.00</td> </tr> </table>	x	\$200.00	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00					
Independent claims	- 3 =	0	x \$200.00											
x	\$200.00													
\$ \$0.00														
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00											
\$ \$0.00														
TOTAL OF ABOVE CALCULATIONS =		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$130.00</td> <td></td> </tr> </table>	\$ \$130.00											
\$ \$130.00														
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00											
\$ \$0.00														
SUBTOTAL =		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$130.00</td> <td></td> </tr> </table>	\$ \$130.00											
\$ \$130.00														
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00											
\$ \$0.00														
TOTAL NATIONAL FEE =		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$130.00</td> <td></td> </tr> </table>	\$ \$130.00											
\$ \$130.00														
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$0.00</td> <td></td> </tr> </table>	\$ \$0.00											
\$ \$0.00														
TOTAL FEES ENCLOSED =		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ \$130.00</td> <td></td> </tr> </table>	\$ \$130.00											
\$ \$130.00														
		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">Amount to be</td> <td style="text-align: center;">\$</td> </tr> <tr> <td style="text-align: right;">Amount to be</td> <td style="text-align: center;">\$</td> </tr> </table>	Amount to be	\$	Amount to be	\$								
Amount to be	\$													
Amount to be	\$													

03/06/2006 ATRAN1 00000169 500912 10521402
01 FC:1617 130.00 DA

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-0912 in the amount of \$ \$130.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0912. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Jayadeep R. Deshmukh
Reg. No. 34,507
Customer No. 026815


SIGNATURE

William D. Hare

NAME

44,739

REGISTRATION NUMBER

March 1, 2006

DATE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,402	Rajeev Shankar Mathur	RLL-274US

INTERNATIONAL APPLICATION NO.

PCT/IB03/02838

LA. FILING DATE	PRIORITY DATE
-----------------	---------------

07/17/2003

07/19/2002

26815
RANBAXY INC.
600 COLLEGE ROAD EAST
SUITE 2100
PRINCETON, NJ 08540

GCU

CONFIRMATION NO. 1976

371 FORMALITIES LETTER



OC000000016662548

Date Mailed: 08/02/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/18/2005
- Copy of the International Search Report filed on 01/18/2005
- Copy of IPE Report filed on 01/18/2005
- Preliminary Amendments filed on 01/18/2005
- Oath or Declaration filed on 01/18/2005
- U.S. Basic National Fees filed on 01/18/2005
- Priority Documents filed on 01/18/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.



ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,402	PCT/IB03/02838	RLL-274US

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant: MATHUR *et al.*

U.S. Application No. 10/521,402

International Application No. PCT/IB2003/002838

International Filing Date: 7/17/2003

Title: TASTE MASKED SUMATRIPTAN TABLETS AND PROCESSES FOR
THEIR PREPARATION**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that the following correspondence:

- Transmittal Letter to the US/DO/EO Concerning a Filing Under 35 USC 371
- Executed Combined Declaration and Power of Attorney
- Copy of Notification of Missing Requirements
- Petition for Extension of Time Under 37 CFR 1.136(a)
- Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on March 1, 2006.

Donna Collier

Name of Person Mailing Correspondence



Signature

EV 483376186 US

"Express Mail" Mailing Label Number

EV483376186US